

REMARKS

Reconsideration and allowance of the above-reference application are respectfully requested. Claims 1, 22, 32, and 53 are amended, Claims 63 and 64 are added, and claims 1-64 are pending in the application.

Claim 3 stands rejected under 35 USC §112, second paragraph. This rejection is respectfully traversed. Antecedent basis for the phrase “the recovering step” is established by the recital in claim 2 of “wherein the receiving step includes recovering....” Hence, this rejection should be withdrawn.

Claims 1-9, 22, 23, 32-40, 53, and 54 stand rejected under 35 USC §102(e) in view of U.S. Patent No. 6,476,833 to Moshfeghi. This rejection is respectfully moot in view of the amendment to independent claims 1, 22, 32, and 53.

In particular, each of the independent claims 1, 22, 32, and 53 specify that an application server accesses, during execution of a voice messaging operation, attribute information for a subscriber from an IP based database server, and accesses an IP-based messaging server for subscriber messaging information based on the accessed attribute information. The application server then generates an HTML page, for execution of the prescribed voice messaging application operation, that includes media content and control tags.

Hence, each of the independent claims specify that a voice messaging operation is executed based on retrieving subscriber messaging information, and generating an HTML page that has media content and control tags that enable the execution of the voice messaging application. These and other features are neither disclosed nor suggested in the applied prior art.

Moshfeghi, however, does not disclose or suggest generation of an HTML page for execution of a prescribed voice messaging application operation. In particular, Moshfeghi is directed to restricting authorization and access to CORBA-based business objects to different network users (e.g., doctors, nurses, patients, etc.). Moshfeghi provides no disclosure or suggestion of a messaging application, as claimed.

Hence, the §102 rejection should be withdrawn.

Claims 10-20 and 41 stand rejected under §103 in view of Moshfeghi and U.S. Patent No. 6,233,318 to Picard. This rejection is respectfully traversed as moot; further, there is no evidence of any motivation to modify the primary reference (Moshfeghi) to include the added teachings of Picard, and the hypothetical combination still neither discloses nor suggests the claimed features.

As described above, Moshfeghi et al. neither discloses nor suggests generation of an HTML page for execution of a prescribed voice messaging application operation. Further, Moshfeghi neither discloses nor suggests any “subscriber prompt”, as claimed, and certainly not within the context of a voice messaging application. The naked reference of a motivation to combine the references “to access the messages in different applications” is without foundation, since Moshfeghi et al. is directed to restricting access of information to users, and not providing data across multiple application platforms. Moreover, any such conversion would be nonsensical, since Moshfeghi relies on CORBA and XML to define the objects and their respective presentation attributes.

Hence, there is no evidence of any motivation to modify Moshfeghi et al. to include the teachings of Picard et al. “The mere fact that the prior art may be modified in the manner

suggested by the Examiner does not make the modification obvious unless the prior art suggested the desirability of the modification.” In re Fritch, 23 USPQ2d 1780, 1783-84 (Fed. Cir. 1992).

Picard et al. (and the hypothetical combination of Moshfeghi et al. and Picard et al.) neither discloses nor suggests generating an HTML page having an media content for execution of a voice messaging application operation, as specified in the claims. Rather, Picard et al. merely discloses access of a messaging system via a PC, where a subscriber accesses his own messaging system “home page” (e.g., col. 10).

Further, Picard et al. is incapable of executing a voice messaging application operation from an HTML page (i.e., within the browser application itself). For example, Picard et al. discloses that a PC user may use a browser to download voice messages via data streaming (see abstract) based on initiating an instance of a media application such as RealAudio (see col. 18, lines 38-60), or by transferring a .wav file using FTP protocol. However, Picard et al. relies on software resources distinct from the HTML page for voice messaging application operations such as playback or recording (see, e.g., col. 18, line 54 to col. 19, line 10).

As described in the Background of the Specification and as evident from Picard et al., HTML does not provide the type of control that is necessary to support voice applications. Specifically, HTML was designed as a rigid set of specifications for embedding instructions within text that specifies to a browser how the text should be presented to the user. Hence, HTML does not provide good media control: if instructions are embedded within an HTML page, there is no guarantee that a browser will execute the embedded instructions as intended by the web page designer. Hence, as illustrated by Picard et al., a PC user is required to interact with an application resource distinct from the browser. This problem is not of concern in Picard

et al., since a user having advanced input capabilities may control (via mouse, etc.) the appropriate software resource for PC-based access.

Hence, the hypothetical combination neither discloses nor suggests the claimed generating of an HTML page that includes media content that enables the HTML document to execute the prescribed voice messaging operation. For these and other reasons, the §103 rejection of claims 10-20 and 41 should be withdrawn.

Claims 24 and 55 stand rejected under §103 in view of Moshfeghi, Picard, and U.S. Patent No. 6,535,586 to Cloutier. This rejection is traversed. The arguments related to combining Moshfeghi with Picard are incorporated herein by reference. Further, it is believed these claims are allowable in view of the foregoing arguments related to their respective independent claims. Hence, this rejection should be withdrawn.

Claims 25-31 and 56-62 stand rejected under § in view of Moshfeghi, Picard, Cloutier, and U.S. Patent No. 6,373,926 to Foldare et al. This rejection is respectfully traversed. The arguments related to combining Moshfeghi with Picard are incorporated herein by reference. Further, it is believed these claims are allowable in view of the foregoing arguments related to their respective independent claims. Hence, this rejection should be withdrawn.

In view of the above, it is believed this application is in condition for allowance, and such a Notice is respectfully solicited.